

REMARKS

Claims 1, 11, and 13 have been amended. No claims have been added or canceled. Claims 1–17 remain in the application. Applicant requests reconsideration of the application as amended.

Summary of Amendments to Claims

In Claim 1, an occurrence of “which” has been changed to the grammatically correct “that.” Also, the phrase “housing shaped like a portion of a sphere” has been changed to “housing in the shape of a portion of a sphere.”

In Claim 11, the order in which the element “opening in the housing” is introduced has been changed to insure that the term “coupler device” has proper antecedent basis.

Claim 13 has been amended to recite that the housing has a curved inner surface.

Requirement to Surrender Original Patent

In compliance with the requirement of 37 CFR 1.178 that the original patent, or an affidavit or declaration as to loss or inaccessibility of the original patent, must be received before this reissue application can be allowed, Applicant submits a declaration as to loss or inaccessibility of the original patent herewith.

Requirement for Supplemental Reissue Oath/Declaration

In accordance with 37 CFR 1.175(b)(1), a supplemental reissue declaration is submitted herewith. The supplemental reissue declaration states that every error in the patent that was corrected in the present reissue application and is not covered by a prior oath or

declaration submitted in this application arose without any deceptive intention on the part of the applicants.

“Indefiniteness” Rejections Under 35 U.S.C. § 112, Second Paragraph

The Examiner has rejected Claims 1 and 11–17 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In particular, in Claim 1, the term “shaped like” (emphasis in Office Action) is alleged to render the metes and bounds of the claim difficult to determine. Claim 1 has now been amended to delete the word “like,” and a rejection based upon indefiniteness is now moot.

The phrase “denotes exactly one half of a sphere” appears at the bottom of Page 2 of the Office Action. The clause appears to be left over from a previous Office Action as the result of a word processing error, as the clause otherwise has no context and no meaning. If Applicants are incorrect in this assumption, a new Office Action explaining the meaning of this clause and resetting a period for response is respectfully requested.

The Examiner has rejected Claim 11 because “said coupler device” lacks antecedent basis, and the relationship of “a coupler device” to a previously recited “coupler device” is unclear. This rejection is overcome by the foregoing amendments.

The Examiner has rejected Claim 13 because “the curved surface of said housing” lacks antecedent basis. This rejection is overcome by the foregoing amendments.

This response is filed within two months of the Final Action dated November 19, 2002. The actual two-month response date, January 19, 2003, fell on a Sunday. The

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following Monday, January 20, 2003 was a Federal Holiday. Thus this response, filed January 21, 2003, is filed on the first day following the actual two-month response date and is thus considered filed within the two-month response period for an Advisory Action.

The foregoing is believed to be fully responsive to the Final Office Action dated November 19, 2002. For the reasons set forth above, the present application is believed to be in condition for allowance. Reconsideration of the application is requested, and allowance of the claims at an early date is courteously solicited.

Respectfully submitted:



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MARKED-UP VERSION OF CLAIMS (37 C.F.R. § 1.121(c)(1)(ii))

Pursuant to 37 C.F.R. § 1.121(c)(1)(ii), another version of the rewritten claims, marked up to show all the changes relative to the previous version of the claims, is now set forth, with deleted text shown in [brackets] and added text shown by underlining:

1. (Twice Amended) An improved trailer hitching apparatus comprising:
 - a plurality of connected guide walls [which] that converge forwardly into a housing [shaped like] in the shape of a portion of a sphere and having a substantially circular opening into said housing where said guide walls converge;
 - means attached to said housing for mounting said apparatus to a towing vehicle;
 - a double-ring coupler device having two substantially annulus-shaped rings, formed so that one outer ring houses the other inner ring as follows: the outer convex surface of said inner ring has the same curvature shape as the inner concave surface of said outer ring, with said outer ring somewhat overlapping said inner ring to hold them together operationally, allowing said outer ring to rotate freely on any axis about said inner ring;
 - a shaft attached to said outer ring having means to attach said coupler device to a trailer tongue;

said housing having an inner surface with the same curvature as the outer surface of said outer ring so that said outer ring can rotate freely and smoothly about any axis within said housing;

said housing having circular surface openings situated opposite each other and said inner ring of said coupler device having a circular hole which aligns with said surface openings as means for insertion of a locking pin device to securely engage said double-ring coupler device within said housing.

11. (Once Amended) An improved trailer hitching apparatus comprising:

a housing having a horizontal cross-section substantially in the shape of a partial circle, and said housing having first and second wall portions in opposed, spaced apart relation;[, and said housing having an opening configured to receive an end of said coupler device therethrough,]

means attached to said first and second wall portions for mounting said apparatus to a towing vehicle;

an outer, substantially annulus-shaped ring having inner walls defining an opening, said inner walls having a concave configuration, said

outer ring being configured to be received between said opposed first and second wall portions;

an inner, substantially annulus-shaped ring, said inner ring having an opening and an outer convex surface, said inner ring being positioned within said opening of said outer ring, said outer convex surface of said inner ring having substantially the same curvature as said inner concave walls of said outer ring, and said outer ring somewhat overlapping said inner ring to hold them together operationally such that said outer ring can rotate freely on any axis about said inner ring, said inner and outer rings together forming a coupler device;

said housing having an opening configured to receive an end of said coupler device therethrough;

means attached to said outer ring for attaching said coupler device to a trailer; and

a locking pin operatively associated with said opposed first and second wall portions of said housing and configured to be received through said opening in said inner ring when said coupler device is disposed between said opposed first and second wall portions so as to couple said coupler device to said means for mounting said apparatus to a towing vehicle.

13. (Once Amended) The trailer hitching apparatus of Claim 12, wherein said housing comprises a curved inner surface, and wherein said outer ring has an outer convex surface with the same general curvature as the curved inner surface of said housing such that said outer ring can rotate freely and smoothly about any axis within said housing.